

4 February 2016

H.E. Dr. Vu Huy Hoang
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister

In the context of our negotiations on the Trans-Pacific Partnership Agreement (“the TPP Agreement”), I have the honour to confirm the following mutual understandings reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam (“Viet Nam”) in relation to work and holiday makers and the temporary entry of business persons.

Australia-Viet Nam Work and Holiday Arrangement

Australia and Viet Nam undertake to review the operation of the Work and Holiday Arrangement (the “WHA”) between Viet Nam and Australia:

- a) within one year of the first date that the TPP Agreement is in force for both Viet Nam and Australia provided that the WHA has been in operation for one year; or
- b) if the WHA has been in operation for less than one year as at the first date that the TPP Agreement is in force for both Viet Nam and Australia, on the first date after the WHA has been in operation for a period of one year.

Australia will increase the number of Vietnamese work and holiday visa holders permitted to enter Australia under the WHA from 200 per year to 1500 per year. Subject to demand, Viet Nam will positively consider increasing the number of Australian work and holiday visa holders permitted to enter Viet Nam under the WHA, to a number sufficient to meet that demand. That number will not exceed 1500 per year.

In the event that Australia or Viet Nam demonstrates that either Party or their respective nationals are not acting consistently with the obligations set out under Article 2(a), Article 2(b) and Article 3 of the Arrangement between the Government of Australia and the Government of the Socialist Republic of Viet Nam on a Work and Holiday Programme, signed on 18 March 2015 (WHA Memorandum of Understanding) or circumstances give rise to the application of Article 6 of the WHA Memorandum of Understanding, Australia and Viet Nam recognise the need to address those circumstances before the increases referred to in the preceding paragraph can be implemented.

Review by Viet Nam of its work permit regime

Viet Nam will positively consider streamlining its work permit regime for foreign business persons, with a view to simplifying the processes for Australian business persons to enter and work in Viet Nam.

I have the further honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of Australia and the Government of the Socialist Republic of Viet Nam which will come into effect on the first date on which the TPP Agreement is in force for both Australia and Viet Nam.

Yours sincerely

Andrew Robb

4 February 2016

The Honourable Andrew Robb
Minister for Trade and Investment
Australia

Dear Minister

I have the honour to acknowledge receipt of your letter of 4 February 2016 which reads as follows:

“In the context of our negotiations on the Trans-Pacific Partnership Agreement (“the TPP Agreement”), I have the honour to confirm the following mutual understandings reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam (“Viet Nam”) in relation to work and holiday makers and the temporary entry of business persons.

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- a) within one year of the first date that the TPP Agreement is in force for both Viet Nam and Australia provided that the WHA has been in operation for one year; or
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I have the further honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of Australia and the Government of the Socialist Republic of Viet Nam

which will come into effect on the first date on which the TPP Agreement is in force for both Australia and Viet Nam.”

I have the further honour to confirm that the above reflects the mutual understandings reached between the Government of the Socialist Republic of Viet Nam and the Government of Australia during the course of negotiations on the TPP Agreement, and that your letter and this letter in reply constitute a Memorandum of Understanding between the Government of the Socialist Republic of Viet Nam and the Government of Australia.

Yours sincerely

Vu Huy Hoang
Minister of Industry and Trade
Socialist Republic of Viet Nam